

REMARKS

Claim 1 is objected to as being inconsistent. Specifically, the Examiner notes that line 10 should read "at least one of said" to be consistent with line 8 "at least one of said surfaces". The Claim has been amended accordingly; hence, this objection is deemed overcome.

Claim 5 stands rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement by containing subject matter which was not described in the specification. Specifically, the Examiner states that Claim 5 recites that the undulating configurations are out of phase with each other which contradicts with Claim 1 which now requires the upper and lower surfaces to be transverse to an axis of the pill and at least one of the surfaces including multiple undulating configurations extending parallel to a plane of the surface. The Examiner cites this as a new rejection since the originally-filed application does not have support for the embodiment shown in Fig. 4A-4C in combination with the out-of-phase undulations. However, the Examiner's attention is directed to Fig. 2A, B and C where the undulating configurations are out-of-phase.

Claims 1-3, 5, 6 and 9 stand rejected under 35 U.S.C. 103(a) as being unpatentable in view of Licher. Specifically, the Examiner states that Licher discloses an automatic inflator comprising a body for receiving a dissolvable pill. The Examiner

does, however, note that Licher no longer anticipates the claims, as the surfaces no longer have multiple undulating configurations extending parallel to the plane of the surface that is traverse to an axis of the pill.

The Examiner states that although Licher does not disclose the exact shape of the pill as set forth in the amended claims, Licher recognizes that the shape of the dissolvable pill is a results-effective variable. The Examiner concludes that since the prior art recognizes the shape as a results-effective variable, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have chosen the shape set forth in the claims, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art.

However, only the peripheral surfaces of Licher's ribs and exposed cylindrical surfaces of its segment 53 are exposed to increase absorption. The upper and lower surfaces of Licher's are not exposed to increase absorption. Moreover, Licher's ribs weaken the ability to withstand the compression forces whereas Applicant's upper and lower surface undulations do not. Only through the use of Applicant's upper and lower surface undulations may absorption be increased while maintaining or even increasing the ability to withstand the compression forces. Hence, the rejection is respectfully traversed and reconsideration is respectfully requested.

Respectfully submitted,

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